IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 23603 of 2004

Between:

Mirtipati Appalaraju, s/o Ramarao, r/o Nadurubaba, Rayavaram

Mandal, East Godavari District.

..... PETITIONER

AND

1 The Deputy Commissioner of Endowments, Govt. of Andhra

Pradesh, Kakinada, East Godavari dist.,
2 The Asst.Commissioner of Endowments, Govt. of Andhra Pradesh,
Rajahmundry, East Godavari District.
3 Sri Venugopalaswamy wari Devasthanam, Nadurubada, Rayavaram

Mandal, East Godavari District, rep., by its Executive Officer

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue writ, order or direction, more particularly one in the nature of writ of mandamus declaring the action of the respondents in not accepting the bid amount for the auction conducted on 06-12-2004, for the lease hold rights of the land an extent of Ac.3.53 cents in Survey No.192, of Nadurubada Village, East Godavari District, belonging to 3rd respondent as illegal, arbitrary and violative of principles of natural justice consequently declare the cancellation of auction dt.06-12-2004, as null and

void further directing the respondents not to conduct the auction of leasehold rights once again for the same property.

Counsel for the Petitioner: MR.T.V.S.PRABHAKARA RAO

Counsel for the Respondent Nos.1 and 2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: Ms. Indrani

The Court made the following :

O R D E R:

Learned counsel appearing for the petitioner submits that the highest bid of the petitioner was accepted and therefore the question of re-auctioning the said leasehold rights in respect of Ac.03.53 cents in Sy.No.192 of Nadurubada village, East Godavari District does not arise.

In view of the said representation that the highest bid of the petitioner was already accepted, no further orders are necessary in the Writ Petition.

Accordingly, the Writ Petition is dismissed as infructuous. However, in case the highest bid of the petitioner is not accepted, the petitioner is at liberty to approach this Court. No costs.

_____

V.ESWARAIAH, J

Dated:27-04-2005,

CCM

To:

1 The Deputy Commissioner of Endowments, Govt. of Andhra

Pradesh, Kakinada, East Godavari dist.,
2 The Asst.Commissioner of Endowments, Govt. of Andhra Pradesh,
Rajahmundry, East Godavari District.
3 Sri Venugopalaswamy wari Devasthanam, Nadurubada, Rayavaram

Mandal, East Godavari District, rep., by its Executive Officer

4 Two CCs to the G.P. for Endowments, High Court Buildings, A.P.

Hyderabad (OUT)

5 Two CD copies.